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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/821,726 | 04/08/2004 | Michael Wayne Graham | 023004.0104N4US | 1523 |

32042 7590 04/02/2007
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| EXAMINER |
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VIVLEMORE, TRACY ANN

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| ART UNIT | PAPER NUMBER |
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1635

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE |
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| 30 DAYS | 04/02/2007 | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.



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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|

10/821,726

Graham et al.

EXAMINER

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| ART UNIT | PAPER |
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1635

20070328

DATE MAILED:

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Commissioner for Patents

The amendment filed on November 30, 2006 canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention because the elected invention is a method of a method of delaying, repressing or otherwise reducing the expression of a target gene in an animal cell while the claims as amended are directed to a method of producing an RNA molecule capable of delaying, repressing or otherwise reducing the expression of a target gene and are therefore directed to a method of making an RNA molecule, rather than a method of reducing gene expression.

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tracy Vivlmore, whose telephone number is 571-272-2914. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Schultz, can be reached on 571-272-0763. The central FAX Number is 571-273-8300.

TV
March 28, 2007